

In the United States Court of Federal Claims

OFFICE OF SPECIAL MASTERS

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CATHERINE WOLSKI,	*	
	*	No. 13-482V
Petitioner,	*	Special Master Christian J. Moran
	*	
v.	*	Filed: September 23, 2015
	*	
SECRETARY OF HEALTH	*	Attorneys' fees and costs; award
AND HUMAN SERVICES,	*	in the amount to which respondent
	*	does not object.
Respondent.	*	

* * * * *

Isaiah Kalinowski, Maglio, Christopher and Toale, P.A., Washington, DC, for
Petitioner;
Traci Patton, United States Dep't of Justice, Washington, DC, for Respondent.

UNPUBLISHED DECISION ON FEES AND COSTS¹

On September 22, 2015, petitioner filed a stipulation of fact concerning final attorneys' fees and costs in the above-captioned matter. Previously, petitioner informally submitted a draft application for attorneys' fees and costs to respondent for review. Upon review of petitioner's application, respondent raised objections to certain items. Based on subsequent discussions, petitioner amended her application to request \$32,939.25, an amount to which respondent does not object. The Court awards this amount.

On July 17, 2013, Catherine Wolski filed a petition for compensation alleging that the influenza ("flu") vaccine, which she received on August 25, 2011, caused her to suffer vaccine-related neuritis and neuropathy or Guillain-Barré syndrome ("GBS"). Petitioner received compensation based upon the parties' stipulation.

¹ The E-Government Act of 2002, Pub. L. No. 107-347, 116 Stat. 2899, 2913 (Dec. 17, 2002), requires that the Court post this ruling on its website. Pursuant to Vaccine Rule 18(b), the parties have 14 days to file a motion proposing redaction of medical information or other information described in 42 U.S.C. § 300aa-12(d)(4). Any redactions ordered by the special master will appear in the document posted on the website.

Decision, issued March 6, 2015. Because petitioner received compensation, she is entitled to an award of attorneys' fees and costs. 42 U.S.C. § 300aa-15(e).

Prior to retaining Petitioner's undersigned counsel of record, Petitioner was represented briefly by attorney Sherry Beshay. Petitioner seeks **\$31,836.75** in attorneys' fees and costs and **\$1,102.50** to former counsel Sherry Beshay. In compliance with General Order No. 9, petitioner states that while represented by Maglio, Christopher and Toale, PA, she did not incur costs related to the litigation of this matter. Respondent has no objection to the amount requested for attorneys' fees and costs.

After reviewing the request, the Court awards the following:

- A. A lump sum of \$31,836.75 in the form of a check made payable jointly to petitioner and petitioner's attorney, Isaiah Kalinowski, of Maglio, Christopher and Toale, PA, for attorneys' fees and other litigation costs available under 42 U.S.C. § 300aa-15(e), and**
- B. A lump sum of \$1,102.50 in the form of a check made payable jointly to petitioner and petitioner's former counsel Sherry Beshay, Esq.**

The Court thanks the parties for their cooperative efforts in resolving this matter. The Clerk shall enter judgment accordingly.

Any questions may be directed to my law clerk, Shannon Proctor, at (202) 357-6360.

IT IS SO ORDERED.

s/Christian J. Moran
Christian J. Moran
Special Master